

PATENT COOPERATION TREATY

REC'D 22 JUN 2005

From the
INTERNATIONAL SEARCHING AUTHORITY

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To:

see form PCT/ISA/220

17/8

PCT

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)

Date of mailing
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference
see form PCT/ISA/220

FOR FURTHER ACTION
See paragraph 2 below

International application No.
PCT/IB2005/050301

International filing date (day/month/year)
25.01.2005

Priority date (day/month/year)
27.01.2004

International Patent Classification (IPC) or both national classification and IPC
H04N5/445

Applicant
KONINKLIJKE PHILIPS ELECTRONICS, N.V.

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion.
- ☒ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1b/s(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:



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**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/IB2005/050301

Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
 - ☐ This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material:
 - ☐ a sequence listing
 - ☐ table(s) related to the sequence listing
 - b. format of material:
 - ☐ in written format
 - ☐ in computer readable form
 - c. time of filing/furnishing:
 - ☐ contained in the International application as filed.
 - ☐ filed together with the international application in computer readable form.
 - ☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

Box No. II Priority

1. ☒ The validity of the priority claim has not been considered because the International Searching Authority does not have in its possession a copy of the earlier application whose priority has been claimed or, where required, a translation of that earlier application. This opinion has nevertheless been established on the assumption that the relevant date (Rules 43*bis*.1 and 64.1) is the claimed priority date.
2. ☐ This opinion has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rules 43*bis*.1 and 64.1). Thus for the purposes of this opinion, the international filing date indicated above is considered to be the relevant date.
3. Additional observations, if necessary:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/B2005/050301

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	6,8,9,12,16,17,22
	No: Claims	1-5,7,10,11,13-15,18-21,23,24
Inventive step (IS)	Yes: Claims	None
	No: Claims	1-24
Industrial applicability (IA)	Yes: Claims	1-24
	No: Claims	None

2. Citations and explanations

see separate sheet

Re Item V.

- 1 Reference is made to the following documents:

D1: US 2003/070171 A1 (JEON WON-GEUN ET AL) 10 April 2003 (2003-04-10)
D2: WO 00/01213 A (SONY ELECTRONICS INC) 6 January 2000 (2000-01-06)
D3: WO 00/27122 A (UNITED VIDEO PROPERTIES, INC) 11 May 2000 (2000-05-11)
D4: EBU/CENELEC/ETSI JTC: "EPG; Protocol for a TV Guide using electronic data transmission" 31 May 1997 (1997-05-31), ETSI, SOPHIA ANTIPOLIS (FRANCE), XP002329111

2. INDEPENDENT CLAIMS 1, 20, 21, 23 AND 24

- 2.1 The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claim 1 is not new in the sense of Article 33(2) PCT.
Document **D1** discloses (the references in parentheses applying to this document):

An EPG (fig.4) comprising : a first list (left part fig.4) including first information; and a second list (right) including second information which is displayed concurrently with said first list in response to selection of a selected information (33) from said first list, said first information being changeable to third information (see fig.6) in response to activation of a perspective function (31).

- 2.2 **D1** also discloses a device (fig.1) configured to receive such kind of EPG, which includes a controller (paragraph 25) configured to control the display of such EPG and a processor programmed to operate the display monitor. The subject-matter of independent claims 20, 21 and 23 is therefore not new.
- 2.3. The same reasoning might be applied mutatis mutandis to the corresponding method claim 24.

3 DEPENDENT CLAIMS 2-19, 22

Dependent claims 2-19, 22 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty and/or inventive step (Article 33(2) and (3) PCT).

- 3.1. The subject-matter of claims 2-5, 7, 10-11, 13-15, 18-21 and 23-24 has been already disclosed by **D1** (please refer to paragraphs 25, 33-49 and figures 2b, 3, 4, 6 and 7).
- 3.2. The differences between the subject-matter of claims 6, 8, 9, 12, 16, 17 and 22 and this **D1** (which is considered to be the closest prior art) are considered obvious by the skilled person in view of the features disclosed in D2 (column 7, fig. 2d), D3 (pag.32, lin. 1-5 and fig.5b,9a) and D4 (see fig. 11 and 12).